

The Daily Courant.

Monday, November 24. 1707.

A further Continuation of M. de Mellaredes Memorial, deliver'd to the Court of Vienna.

18. **T**O justify the Delay of giving the Order demanded by his Royal Highness, 'tis further suppos'd That the Emperor has only made over to him the Right which the State of Milan might have to acquire the said Fees: This Supposition is so contrary to the Text of the 12th Article of the Treaty, that 'tis hard to imagine how it could be offer'd: However, to give a quick Dispatch to this new Difficulty, we put this Dilemma; either the State of Milan has no other Right than this of acquiring the Fees of Langues in Question, or it has others; if it have only this Right of acquiring, why is so much Difficulty made to give Order for putting into the *quasi* Possession of it his Royal Highness, who has already the Right by the Grant of 1690 to acquire those Fees preferably to any other Potentate; and if the State of Milan has other Rights, why is it endeavour'd to limit them to that of acquiring, contrary to the Text of the Treaty, which makes over all Rights or Exercise of Rights that the State of Milan may have, by Dependence or by any other Title whatsoever. Had the Proposers of this Objection given themselves the Trouble of considering these Words of the Treaty *Sive a pendentie sive alio quocunque titulo*, they would not certainly have attempted to limit the transferr'd Right to the Right of acquiring.

19. **T**O Excuse this Delay 'tis urg'd likewise, that the State of Milan has made Opposition to the Execution of this Article; and that the Reasons of that State, which have been order'd to be transmitted with all speed to the Imperial Court, ought to be heard. His Royal Highness did not indeed expect this new Opposition; he could not foresee that any Hearing would be given to Persons that have no manner of Interest, as the State of Milan; whether the Ministers of that State act by Order of King Charles III, which is not credible, nor (in plain Terms) true, or whether they act as the Body of the State independant of the King's Orders: For, if they act by Order of his Catholick Majesty, which in Reality they do not, his Ratification of the Treaty destroys at once the Opposition they make; and if they act for the Body of the State independant of the King's Orders, and by a Power given them by that Body to oppose the Execution of a Contract and of a Cession made by his Imperial Majesty and ratify'd by his Catholick Majesty their Sovereigns, how great is their Temerity, to pretend to question their Actions, contradict their Promises, and oppose their Will! Let them say therefore whatever their Passion suggests, they shall not be answer'd on the Part of his Royal Highness, who cannot believe that his Imperial Majesty will hearken to Subjects who seek only to destroy his Engagements.

20. **'T**is urg'd, lastly, in Opposition to the Execution of this Article of the Treaty, that as the Emperor cannot make worse the Condition of Vassals, so neither can he subject them to a Prince without their Consent. It would be easie to produce Arguments and Authorities sufficient to prove that the Emperour can grant the mean Sovereignty to a Prince, especially to one who is a State of the Empire, over immediate Vassals who live at Distance from the Imperial Court, without their Consent, and even against their Mind, to maintain Peace, which is often disturb'd in such distant

Parts, by the Oppression laid on the Subjects which frequently causes Rebellions, and by the Want of Justice which is the Source of Disorders. Examples are not wanting of like Concessions; but 'tis sufficient to mention that which (for the foresaid Reasons) the Emperor Maximilian made the first of April 1503, to Philibert Duke of Savoy, of the mean Sovereignty of the Counties of Ciconato and Radicata, of which some Vassals refusing to take an Oath to the Duke, the Emperor commanded them to do it, on pain of his Indignation and of Deprivation of their Fees, by Letters Patents of the 10th of September 1504.

21. **B**ut in this Case, the Business is not to give any new Right to his Royal Highness over the Vassals of the Territories of Langues, 'tis only to put him into the *quasi* Possession of the Right which the Dukes of Milan have exercis'd over them and their Estates; which is not making worse the Condition of the Vassals, but maintaining it such as it is: That is to say, if they are under Adherence to the Dukes of Milan, that Adherence is transferr'd to his Royal Highness; if the Dukes of Milan have exercis'd Jurisdiction over them, or have given them Investiture, the Exercise of that Right is yielded to his Royal Highness; who demands no more than to be put into the *quasi* Possession of the Right, or of the Exercise of the Right that might belong to the Duke of Milan, the same having been made over to him by his Imperial Majesty.

22. **We** answer besides, That it would be making worse the Condition of the Vassals of the said Territories of Langues, to allow the State of Milan the Right or Exercise of Right it has had till now, seeing those Territories have no further Concern with that State, from which they can no longer receive the Succours and Assistances they did formerly, nor supply themselves from thence with Corn and other things necessary for subsisting the Inhabitants whose barren Country can furnish them but for a few Months. The Provinces from whence they had those Provisions, are at present subjected to his Royal Highness: And it may be truly said, that as the principal Motives of the Dependence or Adherence of those Vassals to the Dukes of Milan, were the Proximity of their Country to the Territories of the Dukes, from whence they might receive Succour in Time of War, and Subsistence and Justice at all Times; so that Proximity having ceas'd, by the Cession of the Provinces of the State of Milan that border on their Country, the Motives of their Adherences and Dependences are transferr'd to the Possessor of the said Provinces, namely to his Royal Highness; within whose Dominions the Territories of Langues being enclosed, neither the Vassals nor the Country can expect Succour and Subsistence but from his Royal Highness; but would be depriv'd thereof, had he not the Right or Exercise of the Right that might belong to the State of Milan: And thus indeed their Condition would be made worse, but is far from being become so by the Cession made to his Royal Highness.

23. **C**an it be doubted, that all these Motives were not examin'd and weigh'd at the making of the Treaty, and that Regard was not had to the Utility of the Vassals and Territories of Langues, as well as to the Honorary Part of his Royal Highness? It would be an Aspersion on the Memory of his Imperial Majesty deceas'd, to say that this Cession was made without knowing what was yielded. For upon never so little Reflection none will deny, that the Emperour in making over to his

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his Royal Highness the Alexandrin and the Montferrat, between which the said Territories of Langues are enclosed, could not consult the Benefit of those Territories without yielding also to him the Right and the Exercise of Right which the State of Milan had over them. Besides, those Territories having always been a Place of Refuge to the Malefactors, Assassins, and Robbers, of Piemont, of the Montferrat, and of the State of Milan, who have perpetually disturb'd the Security and publick Tranquility of the Provinces bordering on the said Territories, That alone was a sufficient Motive to the Equity and Justice of his late Imperial Majesty to yield this Right to his Royal Highness; and ought to be one to the great Equity and Clemency of his Imperial Majesty now gloriously reigning to make over the said Right to his Royal Highness, had not the Cession of it to him been made by the Treaty: Much more ought it to prevail with him to give Order for his being put into the *quasi* Possession of it, in Execution of that Treaty.

24. And therefore, under no Pretext can the Order be refus'd which his Royal Highness demands, for putting him into Possession *seu quasi* of the Right or of the Exercise of the Right that might belong to the Duke of Milan on the Territories of Langues; without giving Occasion to have it thought, that the Execution of the Treaty has been delay'd without Cause, not only with respect to this Head, but likewise to others; and without necessitating his Royal Highness to make Use of the Right he has acquir'd by the Treaty, which transfers to him the *quasi* Possession of the Right on the Territories of Langues, as well as the Right it self.

The Conclusion of this Memorial shall be found in our next.

London, November 24.

We hear that Major William Churchill, is chosen Member of Parliament for Ipswich, in the Room of Mr. Pooley deceased.

On Saturday last the Poll for a Representative to serve this City in this present Parliament, in the Room of Sir Robert Clayton deceased, was ended, and the Numbers appear'd to be

For the Right Honourable the Lord Mayor 3146.

For Sir John Buckworth, Kt. and Bar. 2893.

Upon which Mr. Sheriffs declar'd his Lordship to be duly Elect'd. And then a Scrutiny was demanded on the behalf of Sir J. Buckworth: which was granted: And thereupon the Common-Hall is adjourn'd to Friday next, at 3 of the Clock in the Afternoon.

AT the Theatre Royal in Drury-Lane, to Morrow being Tuesday, the 25th of November, will be reviv'd a Play call'd, The Libertine Destroy'd. The part of Don John to be perform'd by Mr. Iowell. With all the Musick, both Vocal and Instrumental, compos'd by the late Mr. Henry Purcell, and perform'd by Mr. Leveridge, Mr. Hughs, Mr. Ramondson, Mr. Lawrence and others. And Entertainments of Dancing.

By her Majesty's Company of Comedians.

AT the Queen's Theatre in the Hay-Market, this present Monday, being the 24th of November, will be presented a Comedy call'd, The Double Gallant; or, The Sick Lady's Cure. The Parts of Careless by Mr. Wilks, Clerimont by Mr. Booth, Atal by Mr. Gibber, Sir Solomon Sadlife by Mr. Johnson, Sir Squabble Splithair by Mr. Norris, Beau Saunter by Mr. Pack, Capt. Strut by Mr. Bowen, Lady Dainty by Mrs. Oldfield, Lady Sadlife by Mrs. Goss, Clarinda by Mrs. Rogers, Sylvia by Mrs. Bradshaw, Withwell by Mrs. Saunders. And to Morrow being Tuesday the 25th will be presented a new Tragedy (never Acted before) call'd, The Royal Convert.

These Plays are Sold by J. Knapton at the Crown in St. Paul's Church-yard, and B. Lintox next Nando's Coffee-House, Temple-Bar.

Dropt on Friday last, between the Hours of 1 and 2 in the Afternoon, over-against the Vine-Tavern in High-Holborn, or betwixt that and the 2 Lyons in Portugal-Roy in Great-Lincolns-Inn-Filds, a Green knit Purse with some Guineas in it, 1 or 2 of them being the Coin of her Majesty Queen Anne. Whoever took up the said Purse and Guineas, and will bring them to Mr. Jackson's at the Bell and Dragon Eating-house in Portugal-street near Lincolns-Inn Back-Gate, shall have one half of the said Guineas as a Reward for their Pains.

To Morrow the 25th of this Instant November, will be expos'd to Sale by Auction the Goods of the Honourable Mrs. Coke deceased, at her late Dwelling-house in St. James's-Square, viz. A Rich Velvet Bed and Chairs, India Cabinets, Screens, China-Ware, large Peer-Glasses, Pictures, Plate, Linnen and Coaches, a very Rich Sedan, and all other sorts of Household Goods. To be seen any time before. The Sale to begin at 10 in the Morning and continue till all are Sold. The House to be Let.

A very fine Stone-Horse, well season'd for the Coach, above 15 Hands high, with a long Tail, is to be Sold at the Red-Hart in Fetter-Lane.

John Dunklyn at the King's-Arms in Bedford-street, Covent-Garden, leaving his Retail Trade to his Partners, will dispose of his Stock of fine Muslins, Cambricks and Laces, and all other sorts of Goods he traded in, under a Market Price.

A Catalogue of English Books, being the Library of Mr. John Davis, which will be Sold by Auction, at Guildhall Coffee-house near Guildhall, this Day the 24th Instant, from 4 till 9 in the Evening, and will be continued daily till all are Sold. By Robert Terry, Bookseller. Catalogues are given at Mr. Freeman's in Fleetstreet, Mr. Harrison's at the corner of Castle-Ally in Cornhill, Bookellers, at Mr. Grigsby's Coffee-house behind the Exchange, and at the Place of Sale. N. B. If any Gentleman or others, have any Library or Parcel of Books to dispose of, may have ready Money for them at the Place of Sale.

Officina Shrewsburiana: Or, A Catalogue of valuable Greek, Latin, English, and French Books, excellent in each Faculty and Science, and in all Volumes, fairly bound, many gilt and letter'd on the Back, being the Stock of Mr. Wm Shrewsbury Book-feller deceased, which will continue to be Sold by Auction at Tom's Coffee-house adjoining to Ludgate, this Day the 20th Instant, beginning at Libri Latini Octavo, Number 212. Page 14. beginning every Evening at 5 a Clock, till the Sale is ended. Catalogues may be had at Mr. Helme's in Westminster-Hall, Mr. Brown's without Temple-Bar, Mr. Clement's in St. Paul's Church-yard, Mr. Strahan's over-against the Royal Exchange, and at the Place of Sale.

This present Monday, being the 24th of November, at 4 a Clock in the Afternoon, in the Lower-Walk of the West-end of Exeter-Exchange, will begin the Sale by Auction of P. Varen's Collection of Greek, Latin, Italian, Spanish French and English Books, wherein is contain'd a large Collection of Classic Authors printed by Aldus, Rob. and Henry Stephens, Colineus, Plantin, and a Set of Old Elzevirs; with several Publish'd in Usum Delphini, and most of the scarce Variorum. A Parcel of very curious Paintings: French and Italian Prints done from the best Masters, viz. Raphael, Lanfranc, Annib. Caracci, Pet. Cortonensis, Rubens, le Brun, Poussin, Coypell, Corregio, and others. Catalogues sold for 6 d. by C. King at the Judge's-Head in Westminster-Hall, E. Castle at Scotland-yard-gate near Whitehall, P. Varen at Seneca's Head near Somerset-House in the Strand, M. Wotton at the 3 Daggers near the Temple-gate, J. Knapton at the Crown in St. Paul's Church-yard, S. Crouch at the corner of Pope's-head Alley in Cornhill, and at the Place of Sale.

At John Pindar's (the German Swearing-House) in Westmorland-Court in Bartholomew-Close near Aldersgate-Street, Gentlemen and Ladies may be very carefully Sweated and Cupp'd as followeth, (viz.) Tuesdays in the Forenoon for Women, and the Afternoon for Men; Wednesdays, all Day for Women; Thursdays and Fridays in the Forenoon for Women, and the Afternoon for Men; and Saturdays all Day for Men: With all Necessary Accommodations for both Sexes.

Musick this Day publish'd,

24 New Country Dances for the Year 1708, with proper Tunes, and new Figures, or Directions to each Dance, engraven, Pr. 6 d. Note, the new Country Dancing Master is published; containing the Country Dances for 3 Years past, engraven, Pr. 1 s. 6 d. There is also published, the Overture and Ayres in 4 Parts, perform'd in the Play call'd, The Stratagem, at the Queen's Theatre, Pr. 1 s. 6 d. Printed for J. Walsh Servant to Her Majesty, at the Harp and Hoboy in Katherine-street near Somerset-house in the Strand, J. Hare Instrument-maker at the Golden Viol and Flute in Cornhill near the Royal Exchange.

Just Publish'd,

The Present State of the War, and the Necessity of an Augmentation consider'd. Printed for John Morphew near Stationers-Hall. Price 1 s.

Lately publish'd,

The Diverting Muse; or, The Universal Medley. Written by a Society of Merry Gentlemen for the Entertainment of the Town. The 4th Part. Sold by B. Bragg in Pater-Noster-Row, where the 1st, 2d and 3d Parts are to be had at 6 d. each. N. B. The 5th Part is in the Press and will be speedily publish'd at the same Place and Price.

Just publish'd,

A General History of all Voyages and Travels throughout the Old and New World, from the first Ages to this Present Time. Illustrating both the Ancient and Modern Geography. Containing, An accurate Description of each Country, its Natural History and Product; the Religion, Customs, Manners, Trade, &c. of the Inhabitants, and whatsoever is curious and remarkable in any kind. An Account of all Discoveries hitherto made in the most Remote Parts, and the great Usefulness of such Attempts for Improving both Natural and Experimental Philosophy; with a Catalogue of all Authors that have ever describ'd any Part of the World, an Impartial Judgment and Criticism on their Works for discerning between the Reputable and Fabulous Relaters; and an Extract of the Lives of the most considerable Travellers. Done in a new and concise Method for the use of the Duke of Burgundy, by Monsieur Perier of the Royal Academy of Sciences. Made English from the Paris Edition, adorn'd with Cuts. Printed for E. Sanger at the Post-House in the Middle-Temple-Gate, Fleetstreet, E. Curl at the Peacock without Temple-Bar, R. Burrough at the Sun and Moon in Cornhill, and N. Cliffe at the Golden Candlestick the lower-end of Cheap-side. Price 6 s.

In a few Days will be publish'd,

The Lives of all the Lords Chancellors, Lords Keepers, and Lords Commissioners, of the Great Seal of England, from William the Conqueror, to the present Time: But more at large of those Two Great Opposites, Edward Earl of Clarendon, and Bulstrode Lord Whitlock. With a Parallel of their Actions. To which is added, An Appendix of many Rare and Valuable Speeches, Letters, &c. referring to the said Lives. In 2 Volumes. Necessary for the Readers of the Earl of Clarendon's and other Histories of those Times. By an Impartial Hand.

Memoirs for the Curious, &c. containing, 1st, An Account of a Woman born without a Tongue, 2dly, A Man born Deaf and Dumb, who got the use of his Speech. 3dly, Of an Ox whose Brain was petrified, with some Philosophical Reflections on those Phenomina's. 4thly, Some new Reflections on the most important Subjects of Metaphysics and Morality, &c. For the Month of September. Sold by J. Morphew near Stationers-Hall. Price 6 d.